

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDWARD ROBERT LICHWICK, JR.,

Plaintiff,

- against -

VERIZON,

Defendant.

**Civil Action No.: 08-CIV-3892
(SCR)**

ECF CASE

**DECLARATION OF COLLEEN NELSON
IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS**

I, Colleen Nelson, pursuant to 28 U.S.C. §1746 and under penalty of perjury under the laws of the United States of America, declare that the foregoing is true and correct:

1. I submit this declaration in support of Defendant's Motion To Dismiss in connection with the above-captioned matter.
2. I am currently employed by Verizon Pennsylvania, Inc. ("Verizon PA" or "the Company") as a Local Area Manager – Customer Operations, Keystone Central Department.
3. I have worked as a Local Area manager since 2002 and have had primary responsibility for supervising and managing Verizon PA's service and splicing technicians who regularly reported to Verizon PA garages in Milford, Hamlin, and Honesdale.
4. My business address is Verizon Pennsylvania, Inc., RR9 Box 9340, Hamlin, Pennsylvania 18436.

5. I supervised Plaintiff Edward Robert Lichwick, Jr. ("Plaintiff"), a former Verizon PA employee and Service Technician, and I am familiar with the facts and circumstances surrounding Plaintiff's separation from Verizon PA in June 2007.

6. When Plaintiff resigned from Verizon PA, he regularly reported to the Verizon PA garage located at 20 Buist Road, Route 6 West, Milford, PA 18337. Plaintiff regularly reported to Milford, PA for work during his employment with Verizon PA and its predecessors between August 6, 1987 and June 8, 2007.

7. On or about May 1, 2007, Verizon PA received a complaint from a Verizon PA customer ("the Customer"), located in or near Dingmans Ferry, Pennsylvania, indicating that Plaintiff was requesting tips from customers in violation of company policies.

8. I was personally involved in the investigation of Plaintiff's activities and that investigation occurred entirely in Pennsylvania.

9. Plaintiff, a former member of Local 13000 – Pennsylvania, Communications Workers of America, requested union representation during Verizon PA's interviews of Plaintiff during the investigation.

10. On or about June 8, 2007, Verizon PA Local Area Manager Denise Bellas assumed responsibility for the Milford, PA work location and began supervising Plaintiff.

11. Verizon PA ultimately determined that Plaintiff committed several violations of the Company's policies including accepting tips from customers, failing to bill customers for work performed, failing to represent accurately time worked on his timesheets, and performing work that conflicted with Verizon PA's line of business.

12. On or about June 8, 2007, Denise Bellas and I personally met with Plaintiff in Verizon PA's Milford, PA location and told him that the Company would allow him to resign from the Company in lieu of being terminated for misconduct related to his several violations of Company policies. Plaintiff decided to resign.

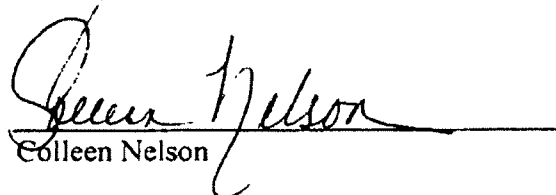
13. After Plaintiff resigned from Verizon PA, he sought unemployment benefits from the Commonwealth of Pennsylvania.

14. Several other Verizon PA employees and I attended hearings in Pennsylvania in connection with the unemployment benefits claim that Plaintiff made to the Commonwealth of Pennsylvania's Department of Labor & Industry.

15. Plaintiff also attended these unemployment hearings in Pennsylvania.

16. Other Verizon PA managers who are aware of the circumstances concerning Plaintiff's separation from Verizon PA work in Pennsylvania.

Dated: July 1, 2008


Colleen Nelson

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2008, the foregoing document was filed with the Clerk of the Court and served via overnight delivery in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties:

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